

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: SURGICAL RESOURCES, LLC

Application No./Patent No.: 5,650,596 Filed/Issue Date: 07/22/1997

Entitled: AUTOMATIC SURGICAL SPONGE COUNTER AND BLOOD LOSS DETERMINATION

CLEARCOUNT MEDICAL SOLUTIONS, INC.

a CORPORATION

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or

2. ☐ an assignee of less than the entire right, title and interest
The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____ or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Sharon L. and Dean E. Morris To: Surgical Resources, L.L.C.

The document was recorded in the United States Patent and Trademark Office at
Reel 007100 Frame 0335, or for which a copy thereof is attached.

2. From: Surgical Resources, L.L.C. To: Clearcount Medical Solutions, Inc.

The document was recorded in the United States Patent and Trademark Office at
Reel 015334 Frame 0141, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

3/8/2005

Date

412-498-7900

Telephone number

STEVEN FLECK

Typed or printed name

Steven Fleck

Signature

CEO

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
OIPE/IAP

AUG 29 2005



US005650596A

United States Patent [19]

Morris et al.

[11] Patent Number: 5,650,596

[45] Date of Patent: Jul. 22, 1997

[54] AUTOMATIC SURGICAL SPONGE COUNTER AND BLOOD LOSS DETERMINATION SYSTEM

[75] Inventors: Sharon L. Morris; Dean E. Morris,
both of River Ridge, La.

[73] Assignee: Surgical Resources, L.L.C., Covington, La.

[21] Appl. No.: 286,413

[22] Filed: Aug. 5, 1994

[51] Int. Cl.⁶ G01G 19/22; A61M 1/00

[52] U.S. Cl. 177/25.13; 177/25.19;
177/245; 604/317

[58] Field of Search 177/15, 25.13,
177/25.19, 245, 45, 25.17; 340/572, 573;
604/317, 318, 403, 404, 407

[56] References Cited

U.S. PATENT DOCUMENTS

3,367,431	2/1968	Baker et al.	177/25.13
4,193,405	3/1980	Abels	177/25.17
4,295,537	10/1981	McAvinn et al.	177/15
4,361,231	11/1982	Patience	206/362
4,422,548	12/1983	Chestman et al.	206/370
4,498,076	2/1985	Lichtblau	177/25.17
4,510,489	4/1985	Anderson, III et al.	177/25.17
4,650,464	3/1987	Ruiz et al.	604/49
4,658,818	4/1987	Miller, Jr. et al.	177/25.17
4,832,198	5/1989	Altkhan	206/438
4,887,715	12/1989	Spahn et al.	206/370
4,889,230	12/1989	Zachry	206/362
4,903,837	2/1990	Ducillo	206/440
4,922,922	5/1990	Pollock et al.	128/760
5,009,275	4/1991	Sheehan	177/25.13
5,031,642	7/1991	Nosek	128/906
5,057,095	10/1991	Fabian	604/362
5,103,210	4/1992	Rode et al.	177/25.17
5,107,862	4/1992	Fabian et al.	128/899
5,186,322	2/1993	Harrell et al.	206/216
5,188,126	2/1993	Fabian et al.	177/25.17

5,190,059	3/1993	Fabian et al.	177/25.17
5,300,120	4/1994	Knapp et al.	177/25.17
5,329,944	7/1994	Fabian et al.	177/25.17
5,353,011	10/1994	Wheeler et al.	177/25.17
5,357,240	10/1994	Sanford et al.	177/25.17
5,381,137	1/1995	Ghem et al.	340/572

OTHER PUBLICATIONS

Vollrath Brochure on Sponge Track Self-Contained Sponge Counting System. No date given.

PyMaH Corp. Brochure on Keep-a-Count Contain-Count Sponge System (1989).

Indala Corp. Brochure on RF Tags (1993).

Primary Examiner—Michael L. Gellner

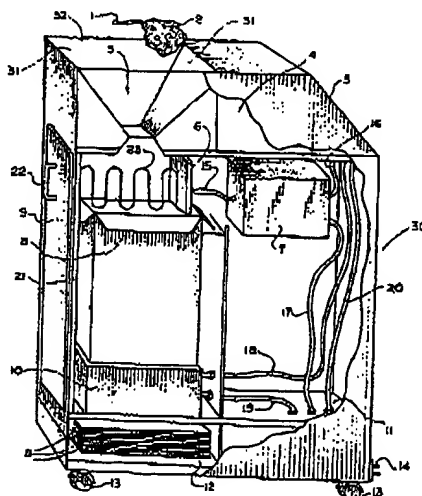
Assistant Examiner—Randy W. Gibson

Attorney Agent, or Firm—Pravel, Hewitt, Kimball & Krieger

[57] ABSTRACT

A device for automatically counting, weighing, and calculating blood loss contained within, soiled surgical sponges includes a cabinet with an opening at the top through which sponges are deposited, a reader which scans each sponge entered and determines sponge type from a tag affixed to each sponge, and a disposable bag into which the sponges are deposited. The disposable bag is removably mounted to a weighing scale; there is also a rear door from which the disposable bag can be easily removed, a rechargeable battery, a shelf for unused disposable bag storage, a control unit which processes data received from reader and scale and instantaneously calculates total weight of liquid contained within sponges entered, a display panel which continuously displays the number and type of sponges entered during a given procedure as well as the total weight of liquids retained in those sponges. There is a means for automatically determining the weight of the sponges when dry which includes a non-optical scanner means which can read an indicating means on the sponges even when the indicating means is covered with blood or other body fluids.

13 Claims, 3 Drawing Sheets



**United States Patent and Trademark Office**[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)**Assignments on the Web > Patent Query**

2005 MAR 14 PM 12:30

Patent Assignment Abstract of Title

NOTE: Results display only for issued patents and published applications. For pending or abandoned applications please consult USPTO staff.

Total Assignments: 2**Patent #:** 5650596 **Issue Dt:** 07/22/1997 **Application #:** 08286413 **Filing Dt:** 08/05/1997**Inventors:** SHARON L. MORRIS, DEAN E. MORRIS**Title:** AUTOMATIC SURGICAL SPONGE COUNTER AND BLOOD LOSS DETERMINATION SYSTEM**Assignment: 1****Reel/Frame:** 007100/0335**Recorded:** 08/05/1994**Pages:** 3**Conveyance:** ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).**Assignors:** MORRIS, SHARON L.**Exec Dt:** 08/03/1994

MORRIS, DEAN E.

Exec Dt: 08/03/1994**Assignee:** SURGICAL RESOURCES, L.L.C.

P.O. BOX 2988 COVINGTON, LA 70434-2988

Correspondent: PRAVEL, HEWITT, KIMBALL & KRIEGER

SETH M. NEHRBASS

1177 WEST LOOP SOUTH

10TH FLOOR

HOUSTON, TX 77027-9095

Assignment: 2**Reel/Frame:** 015334/0141**Recorded:** 11/05/2004**Pages:** 5**Conveyance:** ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).**Assignor:** SURGICAL RESOURCES, LLC**Exec Dt:** 09/15/2004**Assignee:** CLEARCOUNT MEDICAL SOLUTIONS, INC.

301 GRANT STREET

16TH FLOOR

PITTSBURGH, PENNSYLVANIA 15219

Correspondent: CARLA J. VRSANSKY

301 GRANT STREET

20TH FLOOR

PITTSBURGH, PA 15219

If you have any comments or questions concerning the data displayed, contact OPR / Assignments at 703-308-9723

Search Results as of: 03/07/2005 11:07

[HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

402581A1

FACSIMILE OF FORM PTO-1585

CORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE
286413

PATENTS ONLY

PATENT AND TRADEMARK OFFICE

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof

1. Name of conveying party(ies): **MORRIS and DEAN B. MORRIS**

2. Name and address of receiving party(ies):
 Name: **SURGICAL RESOURCES, L.L.C.**
 Internal Address: **P.O. Box 2988**
 Street Address:
 City: **Covington** State: **LA** Zip: **70434-2988**

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance: **19**
☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Additional name(s) & address(es) attached? ☐ Yes ☒ No

Execution Date: **August 3, 1994**

4. Application number(s) or patent number(s):
 If this document is being filed together with a new application, the execution date of the application is: **August 3, 1994**

A. Patent Application No.(s)
 B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:
 Name: **SETH M. NEHRBASS**
 Internal Address: **Praval, Hewitt, Kimball & Krieger**
 Street Address: **1177 West Loop South, 10th Floor**
 City: **Houston** State: **TX** Zip: **77027-9095**

6. Total number of applications and patents involved: **1**

7. Total fee (37 C.F.R. 3.41) **\$40.00**
☒ Enclosed
☐ Authorized to be charged to deposit account

8. Deposit account number:
16-2435
 (Attach duplicate copy of this page if paying by deposit account)

120 KK 08/17/94 08286413

DO NOT USE THIS SPACE
1.581 40.00 CK

9. Statement and signature.
 To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

SETH M. NEHRBASS
 Name of Person Signing

[Signature]
 Signature

5 Aug 1994
 Date

Total number of pages including cover sheet, attachments and document: **3**

REL 1100 PM 3:35

RECEIVED
AUG 31 AM 8:49

BEST AVAILABLE COPY

93567526

AUG 14 PM 12:30

ASSIGNMENT

WHEREAS, we, Sharon L. Morris and Dean E. Morris are co-inventors of "AUTOMATIC SURGICAL SPONGE COUNTER AND BLOOD LOSS DETERMINATION SYSTEM" an application for United States Letters Patent for which is being signed on even date herewith.

WHEREAS, SURGICAL RESOURCES, L.L.C. (hereinafter "SURGICAL") a limited liability company created and existing under and by virtue of the laws of the State of Louisiana, is desirous of acquiring the entire right, title and interest in and to the aforesaid invention throughout the world, and all right, title and interest in, to and under any and all Letters Patent of the United States and all other countries throughout the world;

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) to us in hand paid by SURGICAL and for other good and valuable considerations, the receipt of which is hereby acknowledged, we hereby sell, assign, transfer and set over to SURGICAL all right, title and interest in and to the said invention throughout the world, and said application for U.S. Letters Patent, and any and all divisions, continuations, continuations-in-part, and reissues thereof, and any and all Letters Patent of the United States and foreign countries which may be granted therefor, the same to be held and enjoyed by SURGICAL for its own use and benefit, and for the use and benefit of its successors, assigns, or other legal representatives, to the end of the term or terms for which said Letters Patent of the United States or foreign countries are or may be granted or reissued, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

And we hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States on said invention or result from said application and from any and all divisions, continuations, continuations-in-part, and reissues thereof, to SURGICAL as assignee of our entire interest, and hereby covenant that we have the full right to convey the entire interest herein assigned, and that we have not executed and will not execute any agreement in conflict herewith.

And we further hereby covenant and agree that we will, at any time, upon request, execute and deliver any and all papers that may be necessary or desirable to perfect the title of said invention and to such Letters Patent as may be granted therefor, to SURGICAL its successors, assigns, or other legal representatives and that if SURGICAL, its successors, assigns

PH 11 00 AM 336

BEST AVAILABLE COPY

DIVIS

or other legal representatives shall desire to file any divisional or continuation applications or to secure a reissue of such Letters Patent, or to file a disclaimer relating thereto, will upon request, sign all papers, make all rightful oaths and do all lawful acts requisite for the filing of such divisional, continuation, or continuation-in-part application, or such application for reissue and the procuring thereof, and for the filing of such disclaimer, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

And we do further covenant and agree that we will, at any time upon request, communicate to SURGICAL its successors, assigns or other legal representatives, such facts relating to said invention and Letters Patent or the file history thereof as may be known to me, and testify as to the same in any interference or other litigation when requested so to do, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

EXECUTED THIS 3 day of August, 1994.

Sharon L. Morris
SHARON L. MORRIS

Dean E. Morris
DEAN E. MORRIS

STATE OF LOUISIANA

PARISH OF _____

BEFORE ME, the undersigned authority, on this day personally appeared Sharon L. Morris and Dean E. Morris, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office this _____ day of _____, 1994.

Notary Public in and for
the State of Louisiana

S1929001.ASG

AUG -5 94

RECORDED
PATENT AND TRADEMARK
OFFICE

BEST AVAILABLE COPY



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

205 MAR 14 PM 12:31

NOVEMBER 05, 2004

PTAS



500011070

CARLA J. VRSANSKY
301 GRANT STREET
20TH FLOOR
PITTSBURGH, PA 15219

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/05/2004

REEL/FRAME: 015334/0141

NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

SURGICAL RESOURCES, LLC

DOC DATE: 09/15/2004

ASSIGNEE:

CLEARCOUNT MEDICAL SOLUTIONS, INC.
301 GRANT STREET
16TH FLOOR
PITTSBURGH, PENNSYLVANIA 15219

SERIAL NUMBER: 10411885

FILING DATE: 04/11/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: AUTOMATIC SURGICAL SPONGE COUNTER AND BLOOD LOSS DETERMINATION
SYSTEM

RightFax

11/5/04 7:15

PAGE 003/005

Fax Server

2004 MAR 14 PM 12:30

015334/0141 PAGE 2

SERIAL NUMBER: 08286413

FILING DATE: 08/05/1994

PATENT NUMBER: 5650596

ISSUE DATE: 07/22/1997

TITLE: AUTOMATIC SURGICAL SPONGE COUNTER AND BLOOD LOSS DETERMINATION
SYSTEM

SERIAL NUMBER: 08833387

FILING DATE: 04/04/1997

PATENT NUMBER: 5923001

ISSUE DATE: 07/13/1999

TITLE: AUTOMATIC SURGICAL SPONGE COUNTER AND BLOOD LOSS DETERMINATION
SYSTEM

VIOLET MCCOY, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

PATENT ASSIGNMENT

Electronic Version v1.1
Stylesheet Version v1.1

11/05/2004
500011070

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT
CONVEYING PARTY DATA	
Name	Execution Date
Surgical Resources, LLC	09/15/2004
RECEIVING PARTY DATA	
Name:	ClearCount Medical Solutions, Inc.
Street Address:	301 Grant Street
Internal Address:	16th Floor
City:	Pittsburgh
State/Country:	PENNSYLVANIA
Postal Code:	15219
PROPERTY NUMBERS Total: 3	
Property Type	Number
Patent Number:	5650596
Patent Number:	5923001
Application Number:	10411885
CORRESPONDENCE DATA	
Fax Number:	(412)562-1041
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
Phone:	412-562-1639
Email:	cremonesevj@bipc.com
Correspondent Name:	Carla J. Vrsansky
Address Line 1:	301 Grant Street
Address Line 2:	20th Floor
Address Line 4:	Pittsburgh, PENNSYLVANIA 15219
NAME OF SUBMITTER:	Carla J. Vrsansky
Total Attachments: 3 source=1089#page1.tif	

CH 5650596 \$120.00

DIVISION

RightFax

11/5/04 7:15

PAGE 005/005

Fax Server

source=1089#page2.tif
source=1089#page3.tif

2004 MAR 14 PM 2:31

CONFIDENTIAL

2005 MAR 14 PM 12:31

INTELLECTUAL PROPERTY ASSIGNMENT

This is an Assignment having an effective date of September 15, 2004 from Surgical Resources, LLC, a Louisiana limited liability corporation, Dean E. Morris, and Sharon Morris (individually or collectively, "Assignor") to ClearCount Medical Solutions, Inc., a Delaware corporation ("Assignee").

WHEREAS, Assignor is the owner of the patents, patent applications, and United States trademarks set forth in attached Schedule A (the "Intellectual Property").

WHEREAS, Assignee desires to acquire all right, title and interest in and to said Intellectual Property.

WHEREAS, pursuant to a Stockholder Agreement executed even date herewith, Assignor has agreed to assign, and Assignee has agreed to receive and own, said Intellectual Property.

NOW, THEREFORE, for consideration previously provided and hereby acknowledged, Assignor hereby transfers to Assignee all right, title interest in and to the Intellectual Property and further including the right to sue and recover for past damages.

DIVISION

IN WITNESS WHEREOF, Assignor hereby has caused its name to be signed by its duly authorized representative and its corporate seal to be affixed hereto.

2004 MAR 14 PM 12:31

ATTEST:

SELLER

Joseph R. Morris
Title: _____
Joseph R. Morris
Title: _____
Joseph R. Morris
Title: _____

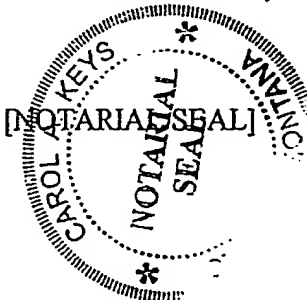
Surgical Resources, LLC
By: Dean E. Morris
Name: Dean E. Morris
Title: Managing Partner
Dean E. Morris
Dean E. Morris
Sharon L. Morris
Sharon L. Morris

STATE OF Montana
COUNTY OF Flathead

)
) SS:
)

On this 9th day of Sept., 2004, before me personally came Dean E. Morris to me known, who being duly sworn, did depose and say that he is the Managing Partner of Surgical Resources, LLC and that he executed the above Assignment on behalf of Surgical Resources with authority to do so.

Carol A. Keys
Notary Public



SCHEDULE A

U.S. Patents

<u>PATENT NUMBER</u>	<u>ISSUE DATE</u>	<u>TITLE</u>
5,650,596	July 22, 1997	Automatic surgical sponge counter and blood loss determination system
5,923,001	July 13, 1999	Automatic surgical sponge counter and blood loss determination system

U.S. Patent Applications

<u>SERIAL NUMBER</u>	<u>FILING DATE</u>	<u>TITLE</u>
20040031626	April 11, 2003	Automatic surgical sponge counter and blood loss determination system

U.S. Trademarks

<u>SERIAL NUMBER</u>	<u>FILING DATE</u>	<u>NAME</u>
78178641	October 25, 2002	SMART SPONGE



MRD 10-2

11-18-1997

FAO FORM PTO-1585

RE



EET

U.S. DEPARTMENT OF COMMERCE

100572001

PATENT AND TRADEMARK OFFICE

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof

1. Name of conveying party(ies):

Sharon L. Morris
Dean E. Morris

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: Surgical Resources, LLC

Internal Address:

Street Address: P.O. Box 2988

City: Covington State: LA Zip: 70434

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
- ☐ Security Agreement ☐ Change of Name
- ☐ Other

Execution Date: September 23, 1997

4. Application number(s) or patent number(s):

If this document is being filed together with a new application other than a provisional patent application, the execution date of the application is:

A. Patent Application No(s)
08/833,387

B. Patent No(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Seth M. Nehrbass

Internal Address: Praval, Hewitt, Kimball & Krieger

Street Address: 1177 West Loop South, 10th Floor

City: Houston State: TX Zip: 77027-9095

6. Total number of applications and patents involved:

1

7. Total fee (37 C.F.R. 3.41)

\$40.00

- ☒ Enclosed
- ☒ Authorized to be charged to deposit account any deficiencies

8. Deposit account number:

16-2435

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Seth M. Nehrbass
Name of Person Signing

Signature

17 Oct 1997
Date

Total number of pages including cover sheet, attachments and document:

4

200 MAR 14 PM 12:23

ASSIGNMENT

WHEREAS, we, Sharon L. Morris and Dean E. Morris are co-inventors of "AUTOMATIC SURGICAL SPONGE COUNTER AND BLOOD LOSS DETECTION SYSTEM" an application for United States Letters Patent for which was filed on 4 April 1997 as Serial No. 08/833,387.

WHEREAS, SURGICAL RESOURCES, L.L.C. (hereinafter "SURGICAL") a limited liability company created and existing under and by virtue of the laws of the State of Louisiana, is desirous of acquiring the entire right, title and interest in and to the aforesaid invention throughout the world, and all right, title and interest in, to and under any and all Letters Patent of the United States and all other countries throughout the world;

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) to us in hand paid by SURGICAL and for other good and valuable considerations, the receipt of which is hereby acknowledged, we hereby sell, assign, transfer and set over to SURGICAL all right, title and interest in and to the said invention throughout the world, and said application for U.S. Letters Patent, and any and all divisions, continuations, continuations-in-part, and reissues thereof, and any and all Letters Patent of the United States and foreign countries which may be granted therefor, the same to be held and enjoyed by SURGICAL for its own use and benefit, and for the use and benefit of its successors, assigns, or other legal representatives, to the end of the term or terms for which said Letters Patent of the United States or foreign countries are or may be granted or reissued, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

PATENT

REEL: 8790 FRAME: 0768

3743.01

200 MAR 14 PM 12:28

And we hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States on said invention or resulting from said application and from any and all divisions, continuations, continuations-in-part, and reissues thereof, to SURGICAL as assignee of our entire interest, and hereby covenant that we have the full right to convey the entire interest herein assigned, and that we have not executed and will not execute any agreement in conflict herewith.

And we further hereby covenant and agree that we will, at any time, upon request, execute and deliver any and all papers that may be necessary or desirable to perfect the title of said invention and to such Letters Patent as may be granted therefor, to SURGICAL its successors, assigns, or other legal representatives and that if SURGICAL, its successors, assigns or other legal representatives shall desire to file any divisional or continuation applications or to secure a reissue of such Letters Patent, or to file a disclaimer relating thereto, will upon request, sign all papers, make all rightful oaths and do all lawful acts requisite for the filing of such divisional, continuation, or continuation-in-part application, or such application for reissue and the procuring thereof, and for the filing of such disclaimer, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

And we do further covenant and agree that we will, at any time upon request, communicate to SURGICAL its successors, assigns or other legal representatives, such facts relating to said invention and Letters Patent or the file history thereof as may be known to me, and testify as to the same in any interference or other litigation when requested so to do, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

PATENT
REF: 8790 FRAMES 0769

DIVISION

203 MAR 14 PM 12: 23

EXECUTED THIS 23 day of September, 1997 ^{PM}

Sharon L. Morris
SHARON L. MORRIS

Dean E. Morris
DEAN E. MORRIS

5192901P.ASG

RECORDED: 10/20/1997

PATENT
REEL: 8790 FRAME: 0770



2005 MAR 14 PM 12:23

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231



500011070A

NOVEMBER 05, 2004

PTAS

CARLA J. VRSANSKY
301 GRANT STREET
20TH FLOOR
PITTSBURGH, PA 15219

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/05/2004

REEL/FRAME: 015334/0141
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

SURGICAL RESOURCES, LLC

DOC DATE: 09/15/2004

ASSIGNEE:

CLEARCOUNT MEDICAL SOLUTIONS, INC.
301 GRANT STREET
16TH FLOOR
PITTSBURGH, PENNSYLVANIA 15219

SERIAL NUMBER: 10411885

FILING DATE: 04/11/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: AUTOMATIC SURGICAL SPONGE COUNTER AND BLOOD LOSS DETERMINATION
SYSTEM

DIVISION

RightFax

11/5/04 7:15

PAGE 003/005

Fax Server

DEC 14 PM 12:28

015334/0141 PAGE 2

SERIAL NUMBER: 08286413

FILING DATE: 08/05/1994

PATENT NUMBER: 5650596

ISSUE DATE: 07/22/1997

TITLE: AUTOMATIC SURGICAL SPONGE COUNTER AND BLOOD LOSS DETERMINATION
SYSTEM

SERIAL NUMBER: 08833387

FILING DATE: 04/04/1997

PATENT NUMBER: 5923001

ISSUE DATE: 07/13/1999

TITLE: AUTOMATIC SURGICAL SPONGE COUNTER AND BLOOD LOSS DETERMINATION
SYSTEM

VIOLET MCCOY, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

PATENT ASSIGNMENT

Electronic Version v1.1
Stylesheet Version v1.1

11/05/2004
500011070

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT
CONVEYING PARTY DATA	
Name	Execution Date
Surgical Resources, LLC	09/15/2004
RECEIVING PARTY DATA	
Name:	ClearCount Medical Solutions, Inc.
Street Address:	301 Grant Street
Internal Address:	16th Floor
City:	Pittsburgh
State/Country:	PENNSYLVANIA
Postal Code:	15219
PROPERTY NUMBERS Total: 3	
Property Type	Number
Patent Number:	5650596
Patent Number:	5923001
Application Number:	10411885
CORRESPONDENCE DATA	
Fax Number:	(412)562-1041
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
Phone:	412-562-1639
Email:	cremonesevj@bipc.com
Correspondent Name:	Carla J. Vrsansky
Address Line 1:	301 Grant Street
Address Line 2:	20th Floor
Address Line 4:	Pittsburgh, PENNSYLVANIA 15219
NAME OF SUBMITTER:	Carla J. Vrsansky
Total Attachments: 3 source=1089#page1.tif	

CH 5650596 \$120.00

DIVISION

RightFax

11/5/04 7:15 PAGE 005/005 Fax Server

source=1089#page2.tif
source=1089#page3.tif

2004 MAR 14 PM 12:30

STATION

2:35 MAR 14 PM 12:30

INTELLECTUAL PROPERTY ASSIGNMENT

This is an Assignment having an effective date of September 15, 2004 from **Surgical Resources, LLC**, a Louisiana limited liability corporation, Dean E. Morris, and Sharon Morris (individually or collectively, "Assignor") to **ClearCount Medical Solutions, Inc.**, a Delaware corporation ("Assignee").

WHEREAS, Assignor is the owner of the patents, patent applications, and United States trademarks set forth in attached Schedule A (the "Intellectual Property").

WHEREAS, Assignee desires to acquire all right, title and interest in and to said Intellectual Property.

WHEREAS, pursuant to a Stockholder Agreement executed even date herewith, Assignor has agreed to assign, and Assignee has agreed to receive and own, said Intellectual Property.

NOW, THEREFORE, for consideration previously provided and hereby acknowledged, Assignor hereby transfers to Assignee all right, title interest in and to the Intellectual Property and further including the right to sue and recover for past damages.

IN WITNESS WHEREOF, Assignor hereby has caused its name to be signed by its duly authorized representative and its corporate seal to be affixed hereto.

2004 SEP 14 PM 12:30

ATTEST:

SELLER

[Signature]
Title: _____
[Signature]
Title: _____
[Signature]
Title: _____

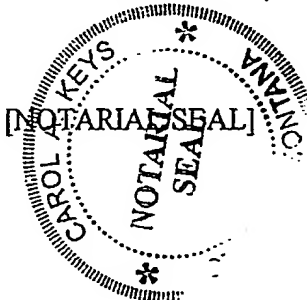
Surgical Resources, LLC
By: [Signature]
Name: Dean E. Morris
Title: Managing Partner
[Signature]
Dean E. Morris
[Signature]
Sharon L. Morris

STATE OF Montana
COUNTY OF Flathead

)
) SS:
)

On this 9th day of Sept., 2004, before me personally came Dean E. Morris to me known, who being duly sworn, did depose and say that he is the Managing Partner of Surgical Resources, LLC and that he executed the above Assignment on behalf of Surgical Resources with authority to do so.

[Signature]
Notary Public



SCHEDULE A

U.S. Patents

<u>PATENT NUMBER</u>	<u>ISSUE DATE</u>	<u>TITLE</u>
5,650,596	July 22, 1997	Automatic surgical sponge counter and blood loss determination system
5,923,001	July 13, 1999	Automatic surgical sponge counter and blood loss determination system

U.S. Patent Applications

<u>SERIAL NUMBER</u>	<u>FILING DATE</u>	<u>TITLE</u>
20040031626	April 11, 2003	Automatic surgical sponge counter and blood loss determination system

U.S. Trademarks

<u>SERIAL NUMBER</u>	<u>FILING DATE</u>	<u>NAME</u>
78178641	October 25, 2002	SMART SPONGE